

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

January 13, 2011

REPORT NO. PC-11-004

ATTENTION:

Planning Commission, Agenda of January 20, 2011

SUBJECT:

CROWN CASTLE PENASOUITOS WEST - PROJECT NO. 203710

PROCESS FOUR

OWNER/
APPLICANT:

Poway Unified School District / Crown Castle

SUMMARY

<u>Issue(s)</u>: Should the Planning Commission approve an application to continue operating a Wireless Communication Facility located at 8375 Entreken Way within the Torrey Highlands Subarea-IV Planning Area?

<u>Staff Recommendation</u>: APPROVE Conditional Use Permit No. 722583 and Planned Development Permit No. 810413.

Community Planning Group Recommendation: There is no recognized community planning group for the Torrey Highlands Subarea Plan; however, the Rancho Penasquitos Planning Board (RPPB), which is the adjacent planning group, reviewed the project. On December 1, 2010, the RPPB voted 10-2-0 to recommend approval of the project with conditions (Attachment 11).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15301, Existing facilities, of the California Environmental Quality Act (CEQA). The environmental exemption determination for this project was made on September 23, 2010 and the opportunity to appeal that determination ended October 8, 2010 (Attachment 12). This project is not pending an appeal of the environmental determination.

<u>Fiscal Impact Statement</u>: All costs associated with processing of this project are recovered from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.



BACKGROUND

The project site is located at 8375 Entreken Way (Attachment 1), on the south side of Entreken Way and east of Camino Del Sur (Attachment 2). The site is located in the AR-1-1 Zone (Attachment 3) within the Torrey Highlands Subarea Plan Area (Attachment 4); and the Airport Environs Overlay Zone (AEOZ) for the Airport Influence Area (AIA)-Review Area 2 and the Overflight Zones for the Marine Corps Air Station (MCAS) Miramar. The community plan designates the site for Middle School use.

The site is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8) and contains an existing wireless communication facility (WCF) located within flagpoles in front of the school. Sprint PCS and Nextel Communications were merged in 2004 and the company is now operating under the name Sprint Nextel. Sprint Nextel was originally approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights. The equipment is located within an approximate 241 square foot masonry enclosure at the northeast corner of the existing structure, and a GPS antenna on top of a security light standard is in proximity of the equipment enclosure. The WCF was approved on December 30, 1999, pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009 (Attachment 6). At the time of this permit, the WCF regulations allowed for the approval of this type of facility as a Process 1 ministerial permit. On January 12, 2007, Crown Castle obtained ownership of the WCF.

DISCUSSION

Project Description:

Crown Castle is requesting a new permit to continue operating at this location and is not requesting or proposing any modifications to what was previously approved. Under the current WCF Regulation pursuant to San Diego Municipal Code (SDMC) Section 141.0420(e)(2), a Conditional Use Permit (CUP) is required for all WCFs on premises within an Agricultural Zone (AR-1-1), since the property currently contains a middle school.

The flagpoles as designed do not comply with SDMC Section 141.0420(g)(9) which states: "Vertical elements, designed as flagpoles or light standards, shall replicate the design, diameter and proportion of the vertical element they are intending to imitate. Flagpoles shall maintain a tapered design." The existing flagpoles were approved in 1999, and at the time of this permit, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, the applicant is requesting a Planned Development Permit (PDP) for a deviation to the WCF regulations from the tapering design requirement.

Airport Environs Overlay Zone (AEOZ):

The proposed project is located in the AIA Review Area 2 for MCAS Miramar as depicted in the adopted 2008 Airport Land Use Compatibility Plan (ALUCP) and is located outside of the Federal Aviation Administration (FAA) notification area. Staff has determined that the proposed project does not increase the maximum height of the WCF and or the building; therefore, the

project is in compliance with the adopted ALUCP and would not require a consistency determination by the San Diego County Regional Airport Authority, serving as the Airport Land Use Commission, and does not meet the criteria to notify the FAA for a Part 77 airspace and obstruction evaluation.

Community Plan Analysis:

The project site is designated for Middle School use in the Torrey Highlands Subarea - IV Plan (Attachment 4). The plan does not contain specific policies on wireless communication facility development; therefore there are no community plan land use issues associated with the location of the proposed project.

General Plan:

The General Plan, Section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of the facility is to be aesthetically pleasing and respectful of the neighborhood context. The existing antennas will be located inside the flagpoles in front of the school. Therefore, the WCF is in conformance with the purpose and intent of the General Plan.

Community Group:

On December 1, 2010, the Rancho Penasquitos Planning Board voted 10-2-0 to recommend approval of the project with the following conditions: 1) All four flagpoles along the driveway are to be repainted in a color and texture as chosen by the school; and 2) All plant beds outside the Administration building and in front of the school are to be re-applied with decorative tree bark. The applicant has agreed to the conditions and they have been included within the Permit (Attachment 9, Conditions No. 15 and 16).

Conclusion:

With the approval of the PDP for the deviation, the project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the SDMC, and the General Plan. Staff recommends that the Planning Commission approve CUP No. 722583 and PDP No. 810413.

ALTERNATIVES

- 1. APPROVE CUP No. 722583 and PDP No. 810413, with modifications.
- 2. **DENY** CUP No. 722583 and PDP No. 810413, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake

Program Manager

Development Services Department

Jeffrey A. Peterson Project Manager

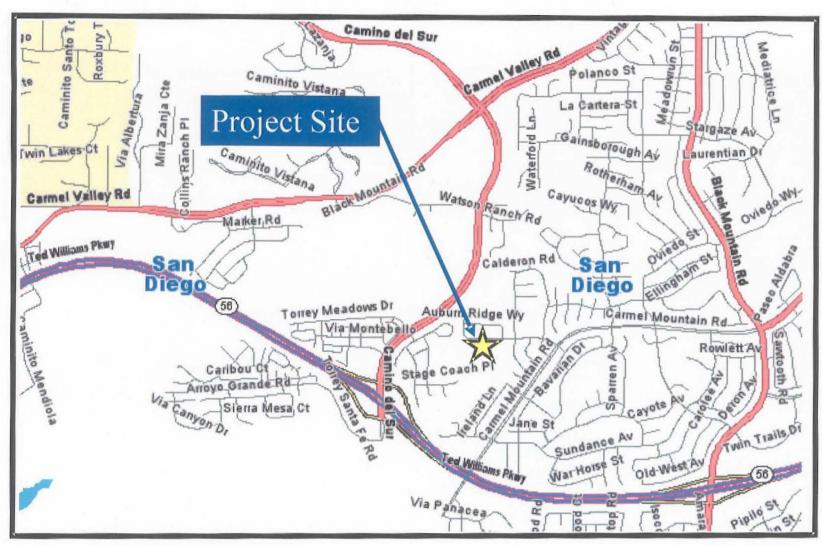
Development Services Department

WESTLAKE/JAP

Attachments:

- 1. Location Map
- 2. Aerial Photograph
- 3. Zoning Plan
- 4. Community Plan Land Use Map
- 5. Project Data Sheet
- 6. Development Permit No. 99-0271-05
- 7. Project Plan
- 8. Photo Survey
- 9. Draft Permit with Conditions
- 10. Draft Resolution with Findings
- 11. Community Planning Group Recommendation/Minutes
- 12. Environmental Exemption Determination
- 13. Ownership Disclosure Statement.
- 14. Project Chronology

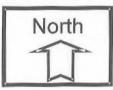
Internal Order No. 24000645





Location Map

Crown Castle Penasquitos West-Project No. 203710 8375 Entreken Way

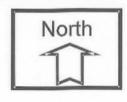


ATTACHMENT 1



Aerial Photograph

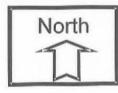
Crown Castle Penasquitos West-Project No. 203710 8375 Entreken Way

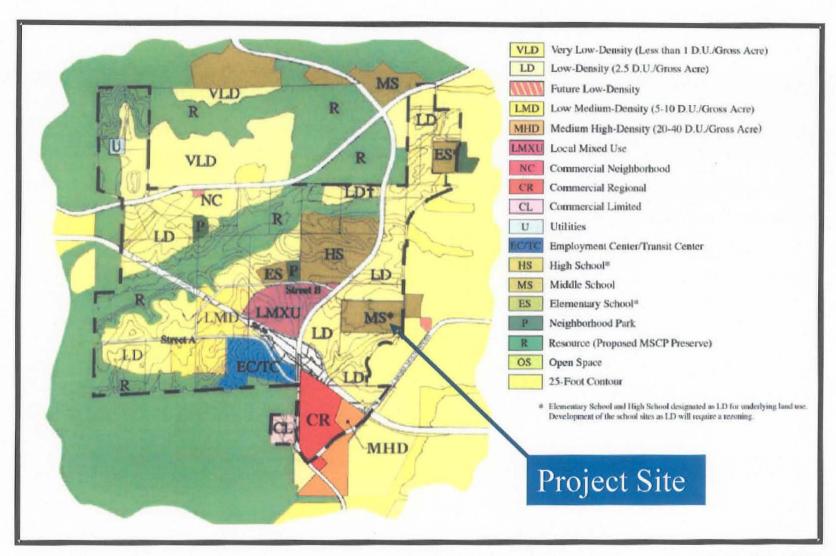




Zoning Map

Crown Castle Penasquitos West-Project No. 203710 8375 Entreken Way

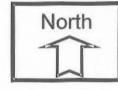






Community Plan Land Use Map

<u>Crown Castle Penasquitos West-Project No. 203710</u> 8375 Entreken Way



PROJECT DATA SHEET				
Crown Castle Penasquitos West- Project No. 203710				
Crown Castle is requesting a new permit to continue operating at this location for a total of 3 panel antennas to be installed within 3 35-foot high flagpoles (one antenna in each pole), and 1 additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights, and the equipment is located within an approximate 241 square foot masonry enclosure at thenortheast corner of the existing structure and a GPS antenna on top of a security light standard in proximity of the equipment enclosure				
Torrey Highlands Subarea Plan				
Conditional Use Permitand Planned Development Permit				
Middle School				

ZONING INFORMATION

ZONE: AR-1-1

HEIGHT LIMIT: 30'0"

LOT SIZE: 10 acres

FLOOR AREA RATIO: NA for non residential uses

LOT COVERAGE: 10 percent FRONT SETBACK: 25'0" SIDE SETBACK: 20'0"

STREETSIDE SETBACK: NA REAR SETBACK: 25°0"

PARKING: NA for Wireless Communication Facility

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE EXISTING LAND USE			
NORTH:	Low Density (2.5 D.U/Gross Acre) / RS-1-1	Single-Family Residential		
SOUTH:	Low Density (2.5 D.U/Gross Acre) / RS-1-1	Single-Family Residential and Open Space		
EAST:	Low Density (2.5 D.U/Gross Acre) / RS-1-1	Single-Family Residential		
WEST:	Low Density (2.5 D.U/Gross Acre) / RS-1-1	Single-Family Residential		
DEVIATIONS OR VARIANCES REQUESTED:	Deviation to the WCF regular requirement.	Deviation to the WCF regulations from the flagpole tapering design requirement.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	There is no recognized community planning group for the Torrey Highlands Subarea Plan; however, the Rancho Penasquitos Planning Board is providing recommendation for this community planning area. On December 1, 2010, the Rancho Penasquitos Planning Board			
	voted 10-2-0 to recommend approval of the projectwith conditions.			



THE CITY OF SAN DIEGO

Date:

December 30, 1999

Applicant:

JM Consulting Group, Inc. Agent For:

Sprint PCS

6691 Convoy Court San Diego, CA 92111 Attn: Ted Marioncelli

Permit No.:

99-0271-05 Telecommunication Administrative Conditional Use Permit.

Penasquitos West

Addresses:

8375 Entreken Way

Subject:

PROPOSED MINOR TELECOMMUNICATION FACILITY

PLANNING and DEVELOPMENT REVIEW ACTION:

It has been determined by **Planning & Development Review** that this proposal does not substantiate a major telecommunication facility and therefore will not be required to proceed with the Conditional Use Permit (Process Four). This decision is based on the City of San Diego's Telecommunication Antenna Policy, City Council Policy 600-43. This proposal has been reviewed with the California Environmental Quality Act (CEQA) and has been determined to be exempt per Section 15061 (b)(3).

Planning and Development Review grants APPROVAL of your application subject to the following:

- The facility shall be designed and constructed in accordance with the approved Exhibit "A", dated December 30, 1999. No modification or alteration shall be permitted to the approved exhibit "A" unless revised plans are submitted and approved by Planning and Development Review.
- The facility will consist of a total of three directional(panel) antennas, one GPS antenna and the associated electronic eqipment. The three antennas will be installed within three new 35-foot high flag poles (one anteena in each new pole).



The equipment will be located inside a masonry enclosure at the northeast corner of the existing structure and the GPS antenna will be installed atop a new security light standard in proximity of the equipment area.

- This Conditional Use Permit and corresponding use of this site **shall expire on December 30, 2009.** Upon expiration of this permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to it's original condition preceding approval of this permit.
- Prior to the expiration date of this Conditional Use Permit, the Permit Holder may request an Administrative Extension of Time to the permit for an additional ten years. An Administrative Extension of Time may be granted by Planning and Development Services if it is determined that no material change in circumstance has occurred that would effect the validity of the Conditional Use Permit as a Minor Telecommunication facility.

All work authorized by this permit shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Services Division and stamped with the **Planning & Development Review** "CONFORMS" stamp. All modifications to this structure or site not directly approved by this permit shall require further review by P&DR. Building permits must be obtained within six months from the date of this approval or this authorization shall be null and void.

Patrick Hooper



CROWN CASTLE NO: 880291

8375 ENTREKEN WAY SAN DIEGO, CA 92129

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE, ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



RERLCOM

PACIFIC TELEGON SERVICES. LLO

880291

CASTLE NO:

CROWN

CA 92129

8375 ENTRE SAN DIEGO,

SO

SOUIT

PENA

PROJECT INFORMATION

PROJECT DESCRIPTION:

PROJECT POST PROJECT DEVELOPMENT PERMIT FOR EXISTING WIRELESS TELECOMMUNICATIONS FACILITY BEING OPERATED AT FULL CAPACITY. A TOTAL OF (3) THREE ANTENNAS & (1) GPS ANTENNA MOUNTED ON (4) FOUR FLAGPOLES / MONOPOLES WITH THE ACCOMPANYING EQUIPMENT CABINETS, CONCRETE SLAB ON GRADE SURROUNDED BY 6' HIGH CONCRETE BLOCK WALL CABINETS ARE LOCATED NEXT TO THE N.E. CORNER OF THE ADMINISTRATION BUILDING (BLOCK WALL COMPOUND) CUP#99-0271-05

APPLICANT:

CLEARMER 4400 CARILLON POINT KIRKLAND, WA 98033 CONTACT: DAVE PUTNAM CONTACT PHONE: (760) 402–4295

PROJECT LEAD (PM):

PROJECT LEAD (CM):

CONTACT: DAVID PUTNAM PH: (760) 402-4295

SITE ACQUISITION:

CONTACT: JEFF MULRE PH: (323) 842-3573

CONTACT: JEREMY MAROTTE PH: (949) 283-2538

CONSTRUCTION: CONTACT: TRAVIS HAMPTON PH: (714) 362-7379

FREQUENCIES: TX 924 MHZ - 1910 MHZ RX 835 MHZ - 896 MHZ

SPRINT NEXTEL CLEARWIRE

CARRIERS OPERATING ON WCF:

RF ENGINEER:

PROPERTY OWNER:

SAN DIEGO SCHOOL DISTRICT 3375 ENTREKEN WAY SAN DIEGO, CA #2129

CODE INFORMATION: ZONING CLASSIFICATION: A-R-1-1 BUILDING CODE: SEE CODE COMPLIANCE - THIS SHEET

CONSTRUCTION TYPE: V-N

OCCUPANCY: S-2

JURISDICTION: CITY OF SAN DIEGO

CURRENT USE: TELECONMUNICATIONS FACILITY PROPOSED USE: TELECOMMUNICATIONS FACILITY

TELCO COMPANY:

AT&T PH: (800) 750-2355

POWER COMPANY:

800-611-7343

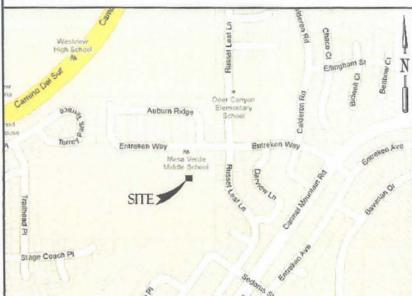
SITE LOCATION: (BASED ON NAD 83); LATITUDE: 32°57'44.26" LONGITUDE: -1178'40.76"

TOP OF STRUCTURE AGL: ±35.0 BASE OF STRUCTURE AMSL: 434.0'

PARCEL NUMBER(S): 305-041-2200

PROJECT AREA: 308 SQ. FT.

VICINITY MAP



DRAWING INDEX

SHEET DESCRIPTION T-1 TITLE SHEET SITE PLAN ENLARGED SITE PLAN, ANTENNA AND EQUIPMENT AREA LAYOUTS

ELEVATIONS

LEGAL DESCRIPTION

SEE SHEET A-O

A-2

CODE COMPLIANCE

2007 BUILDING STANDARDS ADMINISTRATION CODE - PART 1, TITLE 24, C.C.R. 2007 CALIFORNIA BUILDING CODE (CBC) - PART 2, TITLE 24, C.C.R.

2006 INTERNATIONAL BUILDING CODE (IBC)
- VOLUMES 1-3 & CALIFORNIA AMENOMENTS

2006 INTERNATIONAL BUILDING CODE (IBC)

- VOLUMES 1-3 & CALFORNIA AMENDMENTS
2007 CALFORNIA ELECTRICAL CODE (CEC)

- PART 3, TITLE 24, C.C.K.
2005 NATIONAL ELECTRICAL CODE (NEC)

- INCLUDING 2007 CALFORNIA AMENIUMENTS
2007 CALFORNIA MECHANICAL CODE (IMC)

- PART 4, TITLE 24, C.C.K.
2006 INTERNATIONAL MECHANICAL CODE (IMC)

- INCLUDING 2007 CALFORNIA AMENIUMENTS
2007 CALFORNIA PLUMBING CODE (CPC)

- PART 5, TITLE 24, C.C.R.
2006 INTERNATIONAL PLUMBING CODE (PC)

- INCLUDING 2007 CALFORNIA AMENIUMENTS
2007 CALFORNIA PLEMENTS
2006 INTERNATIONAL FIRE CODE (CPC)

- FART 6, TITLE 24, C.C.R.
2006 INTERNATIONAL FIRE CODE (CPC)

- MART 9, TITLE 24, C.C.R.
2006 INTERNATIONAL FIRE CODE (IPC)

- MICLUDING 2007 CALFORNIA AMENIMENTS
2007 CALFORNIA REFERENCED STANDARDS

- PART 12, TITLE 24, C.C.R.
PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS
ANSI/EIA/TIA-222-G STANDARDS FOR BROADCAST
STRUCTURES, LOCAL CODES AND ORDINANCES.

IN THE EVENT OF A CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.

DRIVING DIRECTIONS

DEPART FROM 32 EXECUTIVE PARK, IRVINE, CA 92614-6742

DEPART FROM 32 EXECUTIVE PARK, INVINE, CA 92514-6742

HEAD NORTHWEST ON EXECUTIVE PARK
TAKE THE 1ST RIGHT TO STAY ON EXECUTIVE PARK
TAKE THE 1ST RIGHT ONTO MAIN ST
TURN RIGHT AT MACARTHUR BLVO
TURN LEFT TO MERGE ONTO 1-405 S
TAKE EXIT 33 FOR CARMEL VALLEY RD TOWARD STATE ROUTE 56 E
TURN LEFT AT CARMEL VALLEY RD
TAKE THE STATE HWY 56 E RAMP
KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR CA-56 E AND MERGE ONTO CA-56 E
TAKE THE BLACK MOUNTAIN RD
TURN LEFT AT BLACK MOUNTAIN RD.
TOWN LEFT AT CARMEL MOUNTAIN

SIGNATURE ZONING:

REVIEWERS SHALL CLEARLY PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING REVIEWED

0.3 MI 0.8 MI

ABBREVIATIONS

A/C AGL APPROX	AIR CONDITIONING ABOVE FINISH GRADE APPROXIMATELY	HORZ HR HT HVAC	HORIZONTAL HOUR HEIGHT HEATING	PLYWD PROJ PROP PT	PLYWOOD PROJECT PROPERTY PRESSURE TREATED
BLDG	BUILDING BLOCKING	HVAG	VENTILATION AIR CONDITIONING	REQ RM SHT	REQUIRED ROOM SHEET
CLG CLR	CEILING CLEAR	ID IN	INSIDE DIAMETER	SIM	SIMILAR SPECIFICATION
CONC CONST CONT	CONCRETE CONSTRUCTION CONTINUOUS	INFO INSUL INT CBC	INFORMATION INSULATION INTERIOR CALIFORNIA	SF SS STL STRUCT	SQUARE FOOT STAINLESS STEEL STEEL STRUCTURAL
DBL DIA DIAG	DOUBLE DIAMETER	LBS	BUILDING CODE POUNDS	STD SUSP	STUD SUSPENDED
DN	DIAGONAL DOWN DETAIL	MAX MECH	MAXIMUM MECHANICAL	THRU	THROUGH TINNED
DWG	DRAWING	MER	METAL MANUFACTURE	TYP	TYPICAL
EA ELEV	EACH ELEVATION	MGR MIN MISC	MANAGER MINIMUM MISCELLANEOUS	UNO	UNLESS NOTED OTHERWISE VERTICAL
ELEC EQUIP	ELECTRICAL EQUAL EQUIPMENT	RO	ROUGH OPENING	VIF	VERIFY IN FIELD
EXT	EXTERIOR	NA NIC	NOT APPLICABLE NOT IN CONTRACT	W/O	WITHOUT
FLUOR	FINISH FLOURESCENT	NTS	NOT TO SCALE	WP	WATER PROOF
FLR FT	FLOOR FOOT	00	ON CENTER OUTSIDE DIAMETER		
GA GALV GC GRND GYP BD	GAUGE GALVANIZED GENERAL CONTRACTOR GROUND GYPSUM WALL BOARD				

REVISIONS DATE DESCRIPTION INITIAL 12/29/09 PRELIN ZD FOR REVIEW JM 04/12/10 100% ZD FOR CUP RENEWAL RE

NOT FOR CONSTRUCTION LINLESS LABELED AS CONSTRUCTION SET

SHEET TITLE TITLE SHEET

ACHMENT

SHEET NUMBER

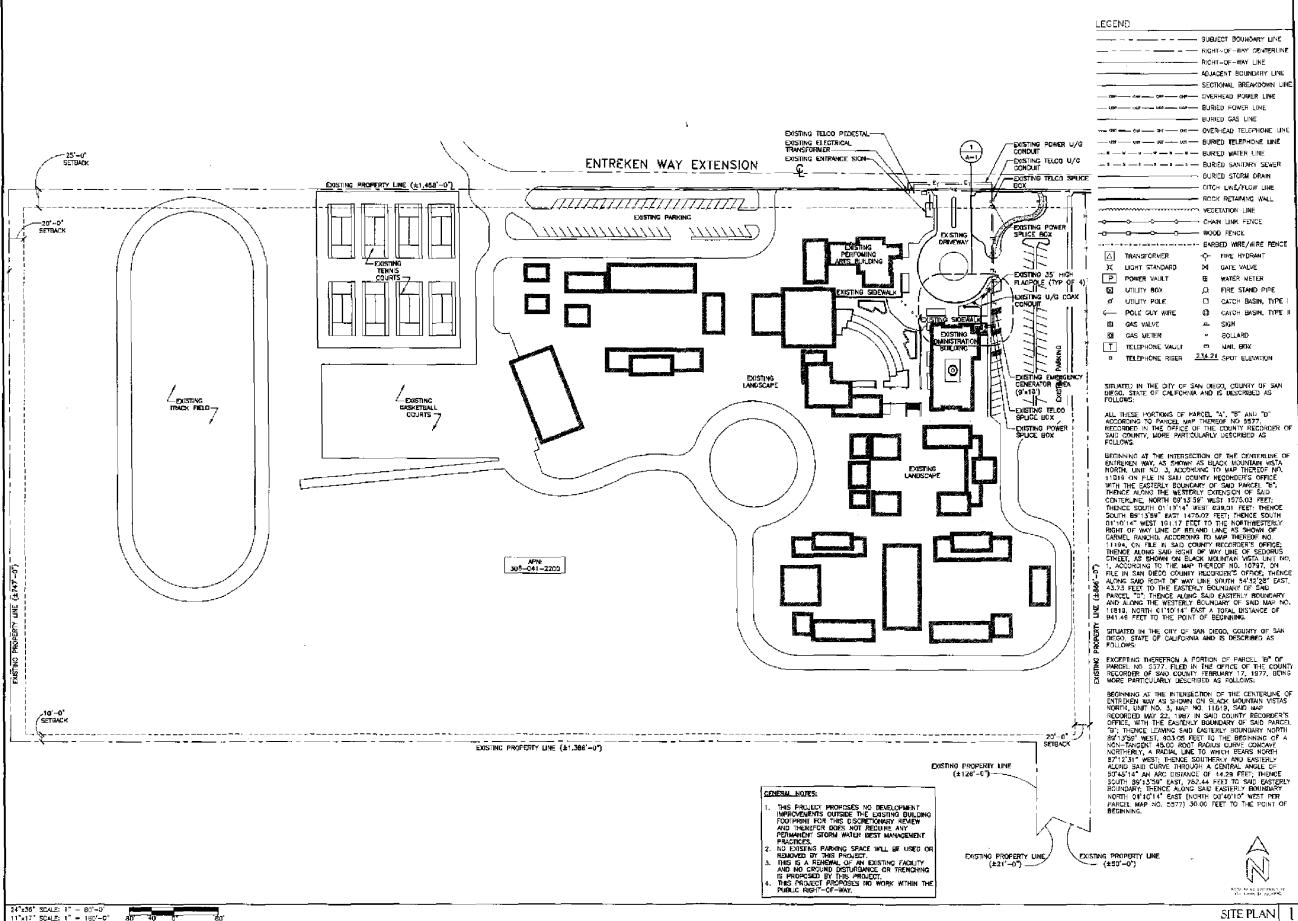
PROJECT TEAM

PROJECT ARCHITECT

THOMAS HOLLAND, AMA
PACIFIC TELECOM SERVICES, LLC
3199C AIRPORT LOOP DRIVE
COSTA MESA, CA 92626
CONTACT: ROBERT LEIGHTON
PH: (208) 265—1747
EMAIL: RLEIGHTON@PTSWA.COM

PROJECT CONSULTANT

REALCOM ASSOCIATES, LLC 27201 PUERTA REAL, STE 240 MISSION VIEJO, CA 92691 CONTACT: TIFFANY RAY PH: (714) 785-7516



THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

CROWN CASTLE INTERNATIONAL +

RERLCOM



WEST 880291

ENASQUITOS

CROWN CASTLE NO: EKEN WAY CA 92129

REVISIONS

NO. DATE DESCRIPTION INITIA

A 12/20/20 PREUN ZD FOR REVIEW US

O 04/12/10 1000 ZD FOR CUP REVIEW BF 11/12/16 CODE COMPLIANCE UPDATED ON

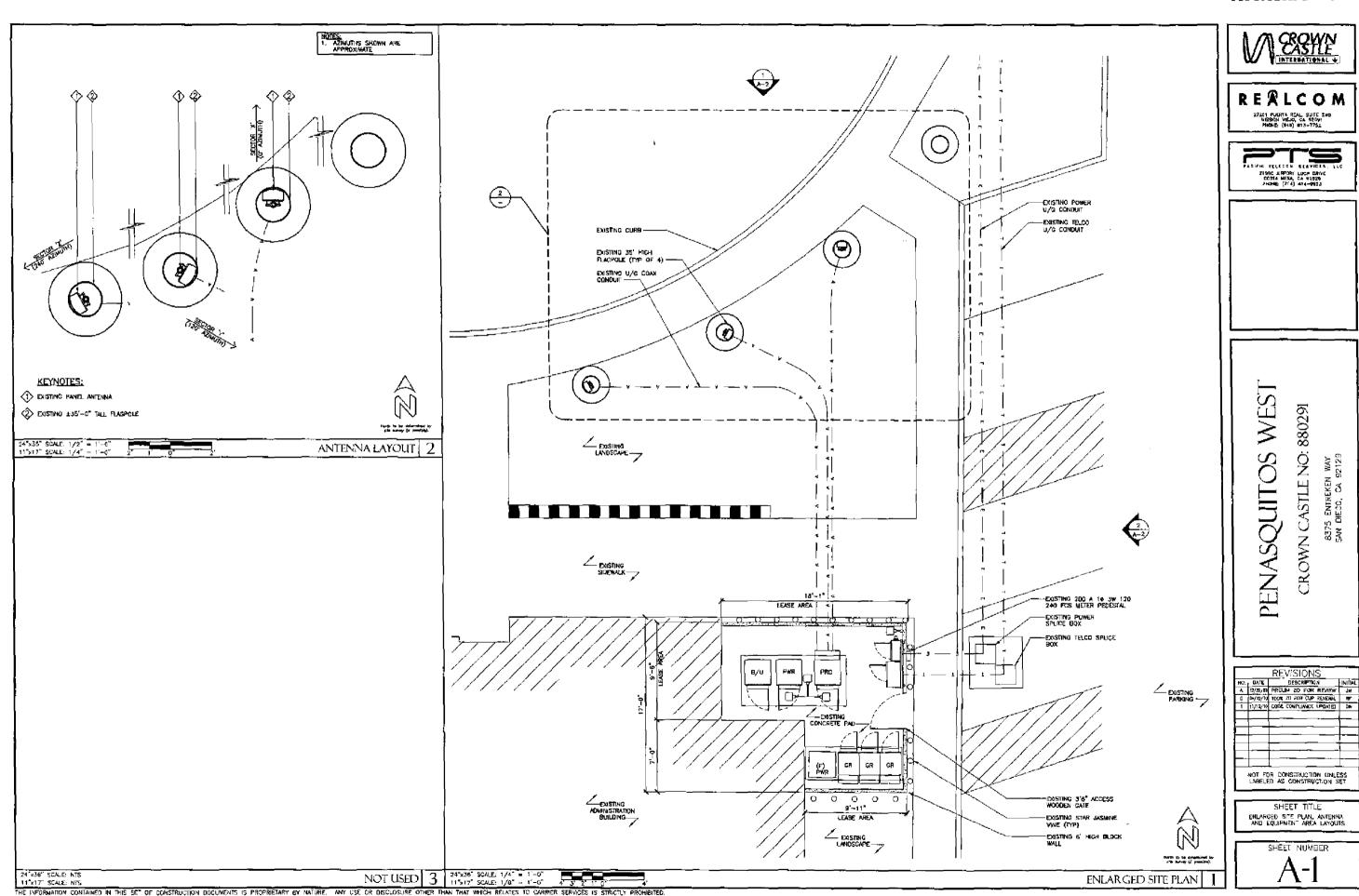
> SHEET TIBE SITE PLAN

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

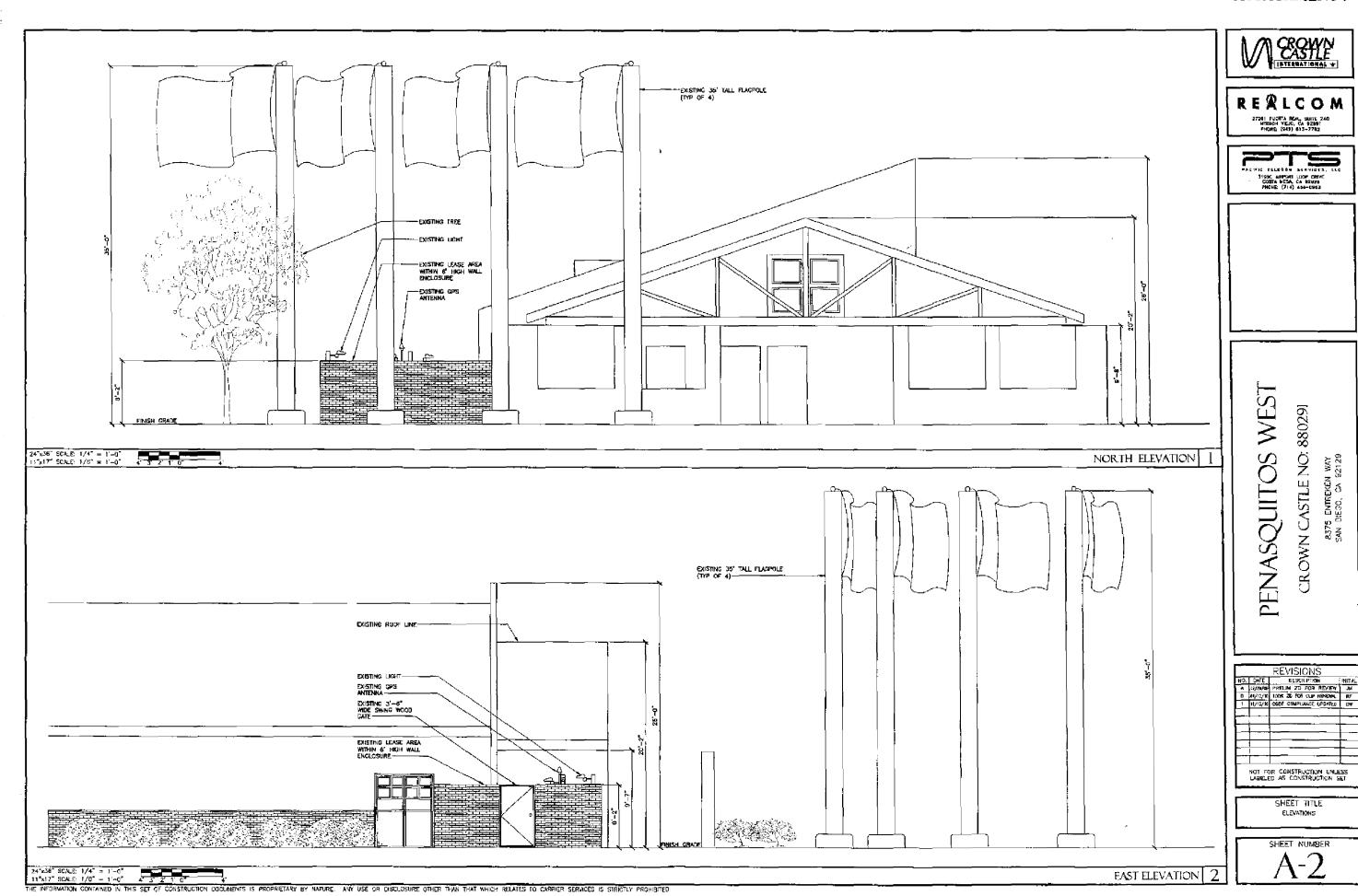
TTACHMENT

SHEET NUMBER

SITE PLAN



ATTACHMENT 7



ATTACHMENT

Photo Survey Crown Castle 8375 Entreken Way, San Diego, CA 92129

Existing Facility



Looking North from site





Looking West from site



Looking South at Site



Looking East from Site

RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000645

CONDITIONAL USE PERMIT NO. 722583 PLANNED DEVELOPMENT PERMIT NO. 810413 CROWN CASTLE PENASQUITOS WEST - PROJECT NO. 203710 PLANNING COMMISSION

This Conditional Use Permit No. 722583 and Planned Development Permit No. 810413 is granted by the Planning Commission of the City of San Diego to POWAY UNIFIED SCHOOL DISTRICT, Owner and CROWN CASTLE, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 141.0420. The site is located at 8375 Entreken Way, on the south side of Entreken Way and east of Camino Del Sur. The site is located in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan. The project site is legally described as all those portions of Parcel A, B, and D, in the City of San Diego, County of San Diego, State of California according to Parcel Map thereof No. 5577 recorded in the Office of the County Recorder of said County, more particularly described as follows: Beginning at the intersection of the centerline of Entreken Way as shown on Black Mountain Vistas North Unit No. 3, Map thereof No. 11819 on file in said County Recorder's Office, with the Easterly boundary of said Parcel B; thence along the Westerly extension of said centerline North 89°13'59" West 1575.03 feet; thence South 01°10'14" West 830.01 feet; thence South 89°13'59" East 1475.02 feet; thence South 01°10'14" West 191.17 feet to the Northwesterly Right-of-way of Ireland Lane as shown on Carmel Rancho, Map thereof No. 11194, on file in said County Recorder's Office; thence along said Right-of-way North 32°28'31" East 122.93 feet the Northerly Right-of-way of Sedorus Street as shown on Black Mountain Vistas Unit No. 1, Map thereof No. 10797 on file in said County Recorder's Office; thence along said Right-of-way North 54°32'26" East 43.73 feet to the Easterly boundary of said Parcel D; thence along said Easterly boundary and along the Westerly boundary of said Map No. 11819, North 01°10'14" East a total distance of 941.49 feet to the Point of Beginning.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 20, 2011, on file in the Development Services Department.

The project shall include:

- a. A Wireless Communication Facility (WCF) consisting of four (4) 35-foot high flagpoles and an approximate 241 square foot equipment enclosure. Three (3) of the flagpoles will support one antenna (located inside each pole), and one (1) flagpole will not support any antennas.
- b. A deviation to the WCF regulations from the flagpole tapering design requirement for the existing flagpoles.
- c. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
- 2. This Conditional Use Permit (CUP) and Planned Development Permit (PDP), and corresponding use of this site shall **expire on January 20, 2021.** Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
- 3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for compliance, which may include penalties and fines.
- 4. Under no circumstances, does approval of this permit authorize Crown Castle to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
- 5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.
- 6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
- 8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 9. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 11. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 12. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or

costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

14. This project is on Poway Unified School District property. Review and approval of plans for the proposed improvements are under the jurisdiction of the Division of the State Architect.

PLANNING/DESIGN REQUIREMENTS:

- 15. All four flagpoles along the driveway are to be repainted in a color and texture as chosen by the school. Verification that the flagpoles have been painted must be supplied to the Development Services Department within 120 days (May 20, 2011) of this approval.
- 16. All plant beds outside the Administration building and in front of the school are to be reapplied with decorative tree bark. Verification that the plan beds have been re-applied with decorative tree bark must be supplied to the Development Services Department within 120 days (May 20, 2011) of this approval.
- 17. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
- 18. All conduits associated with this project shall be concealed inside the flagpoles and no "dog houses" for cabling are permitted. Cables shall be routed underground to the equipment enclosure to the satisfaction of the Development Services Department.
- 19. The flagpole shall be maintained per the U.S. Flag Code. A proportionally sized flag shall be located on each flagpole, to the satisfaction of the Development Services Department. Adequate lighting shall be provided to illuminate the U.S. Flag per the U.S. Flag Code.
- 20. Final inspection shall not be granted until the final product conforms to the stamped approved plans and approved photo survey/simulations.
- 21. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise

ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

- 22. All facilities and related equipment shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days.
- 23. Once this site is deemed complete from construction, Owner/Permittee is required to send a letter (Subject: Planning Inspection Project No. 203710) to the City of San Diego, Development Services Department requesting for a planning inspection. The site is officially deemed complete once the Development Services Department signs the letter. The applicant shall be provided with a copy of the signed letter for record purposes.
- 24. The Owner/Permittee is responsible for notifying the city prior to the sale or takeover of this site to any other provider or if the site is no longer operational resulting in the removal and the restoration of this site to its original condition.
- 25. The photo survey/simulation for the proposed project must be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliant with approved the 'Exhibit A'.
- 26. After the <u>Final Inspection from the Division of the State Architect building inspection official</u>, please contact the Project Manager listed below at (619) 446-5237 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days prior to the site visit.

INFORMATION ONLY:

- Per LDC Section §59.5.0404 Construction Noise (a), It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on January 20, 2011, and Resolution Number PC-xxxx.

Permit Type/PTS Approval No.: CUP No. 722583 &

PDP No. 810413

Date of Approval: January 20, 2011

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Toffers A. Dataman	
Jeffrey A. Peterson Development Project Manag	TAY
Development Services Department	
NOTE: Notary acknowled must be attached per Civil section 1189 et seq.	
	ermittee, by execution hereof, agrees to each and every condition of perform each and every obligation of Owner/Permittee hereunder.
	POWAY UNIFIED SCHOOL DISTRICT Owner
	By
	Name: Title:
	Titte.
	CROWN CASTLE
	Permittee
	, v-
	ByName:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

Title:

PLANNING COMMISSION RESOLUTION NO. PC-xxxx CONDITIONAL USE PERMIT NO. 722583 PLANNED DEVELOPMENT PERMIT NO. 810413 CROWN CASTLE PENASQUITOS WEST - PROJECT NO. 203710

WHEREAS, POWAY UNIFIED SCHOOL DISTRICT, Owner and CROWN CASTLE, Permittee, filed an application with the City of San Diego for a Conditional Use Permit and Planned Development Permit to continue operating an existing Wireless Communication Facility (WCF). The WCF contains a total of four (4) 35-foot high flagpoles and an approximate 241 square foot equipment enclosure. Three (3) of the flagpoles will support one antenna (located inside each pole), and one (1) flagpole will not support any antennas (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 722583 and Planned Development Permit No. 810413).

WHEREAS, the project site is located at 8375 Entreken Way, on the south side of Entreken Way and east of Camino Del Sur. The site is located in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan;

WHEREAS, the project site is legally described as all those portions of Parcel A, B, and D, in the City of San Diego, County of San Diego, State of California according to Parcel Map thereof No. 5577 recorded in the Office of the County Recorder of said County, more particularly described as follows: Beginning at the intersection of the centerline of Entreken Way as shown on Black Mountain Vistas North Unit No. 3, Map thereof No. 11819 on file in said County Recorder's Office, with the Easterly boundary of said Parcel B; thence along the Westerly extension of said centerline North 89°13′59" West 1575.03 feet; thence South 01°10′14" West 830.01 feet; thence South 89°13′59" East 1475.02 feet; thence South 01°10′14" West 191.17 feet to the Northwesterly Right-of-way of Ireland Lane as shown on Carmel Rancho, Map thereof No. 11194, on file in said County Recorder's Office; thence along said Right-of-way North 32°28′31" East 122.93 feet the Northerly Right-of-way of Sedorus Street as shown on Black Mountain Vistas Unit No. 1, Map thereof No. 10797 on file in said County Recorder's Office; thence along said Right-of-way North 54°32′26" East 43.73 feet to the Easterly boundary of said Parcel D; thence along said Easterly boundary and along the Westerly boundary of said Map No. 11819, North 01°10′14" East a total distance of 941.49 feet to the Point of Beginning;

WHEREAS, on January 20, 2011, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 722583 and Planned Development Permit No. 810413 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on September 23, 2010, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section [15301 Existing Facilities] and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated January 20, 2011.

FINDINGS:

I. Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan;

The project site is located at 8375 Entreken Way in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan and is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8). Wireless Communication Facilities (WCFs) are allowed within the AR-1-1 Zone with a Conditional Use Permit (CUP) pursuant to Land Development Code (LDC) Section 141.0420(e)(2). The project site is located within the Torrey Highlands Subarea Plan, which designates the site for Middle School use. The community plan does not contain specific policies on WCF development. In addition, the City of San Diego General Plan recommends that all WCFs minimize visual impacts by concealing wireless facilities in existing structures when possible. It also recommends that these facilities be aesthetically pleasing and respectful to the neighborhood context and to conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures.

The original WCF was approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights. The equipment is located within an approximate 241 square foot masonry enclosure at the northeast corner of the existing structure, and a GPS antenna on top of a security light standard is in proximity of the equipment enclosure. The WCF was approved on December 30, 1999; pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009. The proposal is to continue operating the existing WCF at this location, and there are no modifications to what was previously approved. The existing flagpoles as designed do not comply with SDMC Section 141.0420(g)(9), which requires flagpoles to maintain a tapered design. When the existing flagpoles were approved, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, a Planned Development Permit (PDP) is required for a deviation to the WCF regulations from the flagpole tapering design requirement.

With the approval of the PDP, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the LDC, the adopted Torrey Highlands Subarea IV Plan, and the General Plan. Therefore, the proposed development would not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare:

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." To insure that the FCC standards are being met, a condition has been added to the permit to require the owner/permittee to submit a Radio Frequency Study to staff prior to the Building Permit issuance.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

The project site is located at 8375 Entreken Way in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan and is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8). WCFs are allowed within the AR-1-1 Zone with a CUP pursuant to LDC Section 141.0420(e)(2).

The original WCF was approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights. The equipment is located within an approximate 241 square foot masonry enclosure at the northeast corner of the existing structure, and a GPS antenna on top of a security light standard is in proximity of the equipment enclosure. The WCF was approved on December 30, 1999; pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009. The proposal is to continue operating the existing WCF at this location, and there are no modifications to what was previously approved. The existing flagpoles as designed, do not comply with SDMC Section 141.0420(g)(9), which requires flagpoles to maintain a tapered design. When the existing flagpoles were approved, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, a PDP is required for a deviation to the WCF regulations from the flagpole tapering design requirement.

With the approval of the PDP, the project complies with all applicable development regulations of the LDC and the City of San Diego Communication Antenna Regulations (LDC Section 141.0420), and complies to the maximum extent feasible with the regulations of the LDC.

4. The proposed use is appropriate at the proposed location.

The City of San Diego encourages wireless carriers to locate on non-residential properties. As designed, the project is located on a middle school property within the AR-1-1 Zone and as such, requires a CUP pursuant to LDC Section 141.0420(e)(2). With the approval of the PDP for the deviation to the WCF regulations from the flagpole tapering design requirement, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the LDC, the adopted Torrey Highlands Subarea IV Plan, and the General Plan. Additionally, this site will address the limited network coverage to the roadways, homes, and businesses located in the area. Therefore, the proposed use is appropriate for this site.

II. Planned Development Permit - Section 126. 0604 (a)

1. The proposed development will not adversely affect the applicable land use plan;

The project site is located at 8375 Entreken Way in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan and is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8). WCFs are allowed within the AR-1-1 Zone with a CUP pursuant to LDC Section 141.0420(e)(2). The project site is located within the Torrey Highlands Subarea IV Plan, which designates the site for Middle School use. The community plan does not contain specific policies on WCF development. In addition, the City of San Diego General Plan recommends that all WCFs minimize visual impacts by concealing wireless facilities in existing structures when possible. It also recommends that these facilities be aesthetically pleasing and respectful to the neighborhood context and to conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures.

The original WCF was approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights. The equipment is located within an approximate 241 square foot masonry enclosure at the northeast corner of the existing structure, and a GPS antenna on top of a security light standard is in proximity of the equipment enclosure. The WCF was approved on December 30, 1999; pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009. The proposed development is to continue operating the existing WCF at this location, and there are no modifications to what was previously approved. The existing flagpoles as designed do not comply with SDMC Section 141.0420(g)(9), which requires flagpoles to maintain a tapered design. When the existing flagpoles were approved, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, a PDP is required for a deviation to the WCF regulations from the flagpole tapering design requirement.

With the approval of the PDP, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the LDC, the adopted Torrey Highlands Subarea IV Plan, and the General Plan. Therefore, the proposed development would not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." To insure that the FCC standards are being met, a condition has been added to the permit to require the owner/permittee to submit a Radio Frequency Study to staff prior to the Building Permit issuance.

3. The proposed development will comply with the regulations of the Land Development Code;

The project site is located at 8375 Entreken Way in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan and is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8). WCFs are allowed within the AR-1-1 Zone with a CUP pursuant to LDC Section 141.0420(e)(2).

The original WCF was approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The flagpoles are illuminated at night by existing floodlights. The equipment is located within an approximate 241 square foot masonry enclosure at the northeast corner of the existing structure, and a GPS antenna on top of a security light standard is in proximity of the equipment enclosure. The WCF was approved on December 30, 1999; pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009. The proposal is to continue operating the existing WCF at this location, and there are no modifications to what was previously approved. The existing flagpoles as designed do not comply with SDMC Section 141.0420(g)(9), which requires flagpoles to maintain a tapered design. When the existing flagpoles were approved, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, a PDP is required for a deviation to the WCF regulations from the flagpole tapering design requirement.

With the approval of the PDP, the project complies with all applicable development regulations of the LDC and the City of San Diego Communication Antenna Regulations (LDC Section 141.0420), and complies with the regulations of the LDC.

4. The proposed development, when considered as a whole, will be beneficial to the community; and

The proposed development is to continue operating the existing WCF at this location, and the development is not proposing any modifications to what was previously approved. The facility provides wireless communication services for users of cell phones and other wireless devices. The facility provides these wireless services in a way that is aesthetically compatible and blends in with the residential context and middle school that surrounds it. Therefore, this development, when considered as a whole, will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The project site is located at 8375 Entreken Way in the AR-1-1 Zone within the Torrey Highlands Subarea IV Plan and is currently developed with the Poway Unified School District's Mesa Verde Middle School (Grades 6-8). WCFs are allowed within the AR-1-1 Zone with a CUP pursuant to LDC Section 141.0420(e)(2).

The original WCF was approved for a total of three (3) panel antennas to be installed within three (3) 35-foot high flagpoles (one antenna in each pole), and one (1) additional flagpole that did not include antennas. The WCF was approved on December 30, 1999; pursuant to Development Permit No. 99-0271-05, which expired on December 30, 2009. The proposal is to continue operating the existing WCF at this location, and there are no modifications to what was previously approved. The existing flagpoles as designed, do not comply with SDMC Section 141.0420(g)(9), which requires flagpoles to maintain a tapered design. When the existing flagpoles were approved, the WCF regulations did not include a requirement for flagpoles to include a tapered design. Therefore, a PDP is required for a deviation to the WCF regulations from the flagpole tapering design requirement.

If the flagpole was replaced with a design that was tapered, the pole would need to be higher and wider to allow for the proportions of a tapered design to be implemented. The current design is appropriate for this location and results in a more desirable project, with less of a visual impact, than if the existing flagpole was replaced with a tapered design. Therefore, this deviation from the tapered design requirement is appropriate for this location and result in a more desirable project than if designed in strict conformance with the WCF Design Requirements.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 722583 and Planned Development Permit No. 810413 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 722583 and No. 810413, a copy of which is attached hereto and made a part hereof.

Jeffrey A. Peterson
Development Project Manager
Development Services Department

Adopted on: January 20, 2011

Internal Order No. 24000645

TORREY HIGHLANDS - SUBAREA IV RANCHO PENASQUITOS PLANNING BOARD CROWN CASTLE PENASQUITOS WEST PROJECT NUMBER 203710 DECEMBER 1, 2010

Moved: Dennis Spurr

Second: Bill Diehl

A motion is hereby made to approve the above named project subject to the following conditions:

- 1.) All four flagpoles along the driveway are to be repainted in a color and texture as chosen by the school; and
- 2.) All plant beds outside the Administration building and in front of the school are to be reapplied with decorative tree bark.

Vote: 10 In Favor

- 2 Opposed (Bende, Sellers)
- **0** Abstentions
- 0 Recusals

Information sent via email from Charles Sellers, Chair

NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422 OFFICE OF PLANNING AND RESE	FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101
1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814	СП
PROJECT No.: 203710 PROJ	CT TITLE: Crown Castle Penasquitos West
PROJECT LOCATION-SPECIFIC: 8375 Entreken Wa PROJECT LOCATION-CITY/COUNTY: San Diego/Sa	
existing Wireless Communications Facility (WCF mounted on four (4), 35-foot tall flag poles (one a surrounded by a 6-foot high concrete block wall e	JECT: CONDITIONAL USE PERMIT and PLANNED DEVELOPMENT PERMIT for an The facility consists of three (3) panel antennas and one (1) GPS antenna tenna per pole), and on-site equipment cabinets located on a concrete slab and closure. The project site is in the AR-1-1 Zone within the Torrey Highlands iew Area 2 and the Overflight Zones for the MCAS Miramar.
NAME OF PUBLIC AGENCY APPROVING PROJECT:	ity of San Diego
NAME OF PERSON OR AGENCY CARRYING OUT PR	JECT: Alexis Osborn Realcom Associates, LLC 27201 Puerta Real Mission Viejo, CA 92691 (949) 838-7313
EXEMPT STATUS: (CHECK ONE) () MINISTERIAL (SEC. 21080(b)(1); 15268 () DECLARED EMERGENCY (SEC. 21080(b)(() EMERGENCY PROJECT (SEC. 21080(b)((✓) CATEGORICAL EXEMPTION: 15301: EX	3); 15269(a));); 15269(b)(c))
maintenance, permitting, licensing or minor altera	exempt pursuant to Section 15301 which allows for the operation, repair, ons of existing public or private structures involving negligible or no expansion letermination. This facility is an existing facility and none of the exceptions
LEAD AGENCY CONTACT PERSON: M. Blake	TELEPHONE: (619) 446-5375
IF FILED BY APPLICANT: 1. ATTACH CERTIFIED DOCUMENT OF EXEM 2. HAS A NOTICE OF EXEMPTION BEEN FILE () YES () NO	TION FINDING, BY THE PUBLIC AGENCY APPROVING THE PROJECT?
It is hereby certified that the City of San D. What The Senier Planner Signature/Title	GO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA - 9/23/10 DATE
CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT	DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



THE CITY OF SAN DIEGO

Date of Notice: September 23, 2010

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No.: 24000645

PROJECT NAME/NUMBER: Crown Castle Penasquitos West/Project No. 203710

COMMUNITY PLAN AREA: Torrey Highlands

COUNCIL DISTRICT: 1

LOCATION: 8375 Entreken Way, San Diego, CA 92129

PROJECT DESCRIPTION: CONDITIONAL USE PERMIT and PLANNED DEVELOPMENT PERMIT for an existing Wireless Communications Facility (WCF). The facility consists of three (3) panel antennas and one (1) GPS antenna mounted on four (4), 35-foot tall flag poles (one antenna per pole), and on-site equipment cabinets located on a concrete slab and surrounded by a 6-foot high concrete block wall enclosure. The project site is in the AR-1-1 Zone within the Torrey Highlands Community Plan Area, the AEOZ for the AIA-Review Area 2 and the Overflight Zones for the MCAS Miramar.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission (Process 4).

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15301 (Existing Facilities).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Development Services Staff.

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project is exempt pursuant to Section 15301 which allows for the operation, repair, maintenance, permitting, licensing or minor alterations of existing public or private structures involving negligible or no expansion of use beyond that at the time of the lead agency's determination. This facility is an existing facility and none of the exceptions described in Section 15300.2 apply.

CITY CONTACT:

Jeff Peterson, Project Manager

MAILING ADDRESS:

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER: (619) 446-5237

On September 23, 2010, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is

appealable to the City of San Diego Planning Commission. If you have any questions about this determination, contact the Project Manager above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice **OR** 15 business days from the date of the environmental determination. Applications to appeal CEQA determinations made by the Planning Commission from a Process Two or Three Appeal under SDMC section 112.0506 must be filed in the Office of the City Clerk within 10 business days from the date of the Planning Commission's decision. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



City of San Diago
Development Services
1222 First Ave., MS-302
San Diago, CA 92101
(019) 446-5000

Ownership Disclosure Statement

Part 1 - To be completed when property is held by Individual(s) as stored the Computed Sections Epidement, the connected by the connected of the end of the property. The led must include the manuscreament as standard before my be filed with the City of Son Disco on the subject property. With the intent to record an encumbrance against the property. Please select the connected and services and selected of the accorded or otherwise, and state the type of property intends (a.g., teanis and selected of all percents) in the property. A signature is majored of at least one of the property intends (a.g., teanis who will be retrieved for a project panels for which a Disposition in the assistant Executive Discotor of the San Clappe Retrieveloperant Against plants and otherwise for motifying the Project states of the San Clappe Retrieveloperant Against selected for at project panels for which a Disposition is being processed or considered. Changes in connecting the Project Manager of any principles in connecting the time the application is being processed or considered. Changes in connecting the Project Manager of any principles in connecting the time the application is being processed or considered. Changes in connecting are to be given he Project Manager in the hearing process. Additional pages attached X Yes No. Name of Individual Representations of the property of the property of the property. Since Address: Change Manager Reservations (A. A. A	Approval Type: Check appropriate by Neighborhood Development Pean	C 62n Dovelsoment Permit	Sisrned Operionment Permi	A Corningne Use Fermi
Project Address: 8575 Entercken Way, San Diego, CA 92129 Part 1-To be completed when property is held by Individually) Extraction the Completed when property is held by Individually) Extraction the Completed when property is held by Individually) Extraction the Completed when property is held by Individually Extraction the Completed when property is held by Individually Extraction the Completed when property is held by Individually Extraction the Completed when property is held by Individual to report an enterprise of property in the Complete is a state of the Complete in the	·	com Branchist auch 1 1 1985 sa	ages i rest feet restrictions	· · · · · · · · · · · · · · · · · · ·
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Name of Individual Tope or print): DANT The County Teneral Section Teneral County	the have an interest in the property. At idividuals who dwn the property). At the the Assistant Executive Director of levelopment Agreement (DDA) has it fenegar of any changes in ownership he Project Manager at least thiny da domination could result in a deay in the	scorded or otherwise, and state to importune is required of M least of M leas	the type of property interest (e.g., t into of the congesty connect. Alter it Agency shall be required for all is City Councit. Note: The applica is being processed or confidence.	iscants who will benefit from the permit, all de additional pages if needed. A signature project parcels for which a Disposition and ant is responsible for notifying the Project Changes in ownership are to be given to
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STOCHSTILLO St. Stt. 307 Stratific Barbaca CA 9310 Phone ten Fax No. Signature Date Phone ten Fax No. Name of Individual (type or print): Owner Tenant/Leusee Redevelopment Agency Owner Tenant/Leusee Redevelopment Agency Street Address. City/State/Zip: Phone No. Fax No. Phone No. Fax No. Fax No.				Lossoo Redovelopment Agency
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Project Title:	Project No. (For City Use Cnly) 2037/0	
Part II - To be completed when property is field by a com-	poration or parinership	
Legai Status (please check):		
Corporation [Limited Liability -or- General) Wha	f State? Corporate Identification No	
as identified above, will be filed with the City of San Diego of the property. Please list below the names, titles and address otherwise, and state the type of property interest (e.g., tenar in a partnership who own the property). A signature is required property. Attach additional pages if needed. Note: The application is being processes Manager at least thirty days prior to any public hearing on the	s) acknowledge that an application for a permit, map or other matter, in the subject property with the intent to record an encumbrance against uses of all persons who have an interest in the property, recorded or not who will benefit from the permit, all corporate officers, and all partners gired of at least one of the corporate officers or partners who own the icant is responsible for notifying the Project Manager of any changes in disciplinated. Changes in ownership are to be given to the Project ne subject property. Failure to provide accurate and current ownership Additional pages attached. Yes No.	
Corporate/Pathership Name (type or print): Poway Unified School District	Corporate/Parinership Name (type or print): Crown Castle	
▼ Owner	Owner Tenan/Lessee	
Street Address 13626 Twin Peaks Road Chy/State/Zro	Steel Address 2000 Corporate Drive Chy/Sima/Dp:	
Poway, CA 92064	Canonsburg, FA 15317	
Phone No: Fax No: (619)538-8636	Priore No. 724-416-2000	
Name of Corporate Officer/Partner (type or print) DOUG: MANN	Negre of Corporate Officer Partner (type or print):	
Fitle (type or peat) EXEC - DIR. FACILITIES	Title (type or pant): Chief Executive Officer	
Signatura: Date Date 5/12/10	Signature Date:	
Corporate/Partnership Name (type or print): Crown Castle	Corporate/Partnership Name (type or print): Crown Catle	
Owner X Tenant/Lessee	Owner TX TenanoLessee	
Street Address: 2000 Corporate Drive	Stron Address: 5350 N. 48th Street	
Canonsburg, PA 15317	Chr.State/Zo. Chandler, AZ 85226	
Phone No: Fax No: 724-416-2000	Phone No: Fax No: 480-735-6900	
Name of Corporate Officer/Partner (type or print): Nr. Mark Schrott	Name of Corporate Officer Pariner (type or pfint) Mr. Christopher Tretter	
Title (type or print) VP, Property	Tile(hype or print): Area President, West Region	
Signature Date:	Signature Date.	
Corporate/Partnership Name (type or print): Crown Castle	Corporate/Partnership Name (type or print):	
Owner 🔼 Tenant/Lessee	Owner Tenant/Lessee	
Street Address: 5350 N. 48th Street	Street Address	
Chy/State/Zip: Chandler, AZ 85226	Cny/State/Zip.	
Phone No Fax No 480-735-6900	Phone No: Fax No:	
Name of Corporate Officer/Pariner (type or print): Ms. Lisa Johnson	Name of Corporate Officer/Partner (type or print):	
Take (type or point) Director Property, West Area	Title (type or print):	
Signature Date	Signature Date	

DEVELOPMENT SERVICES DEPARTMENT PROJECT CHRONOLOGY CROWN CASTLE PENASQUITOS WEST - PROJECT NO. 203710

Date	Action	Description	City Review Time (Working Days)	Applicant Response
8/20/10	First Submittal	Project Deemed Complete	-	-
9/23/10	First Assessment Letter		23 days	
10/21/10	Second Submittal			20 days
11/15/10	Second Review Completed		16 days	
12/1/10	Community Group	The community group voted on the project on 12/1/10.		10 days
6/2/10	Public Hearing	First available date	30 days	
TOTAL S	OTAL STAFF TIME (Does not include City Holidays or City Furlough) 69 days			
TOTAL APPLICANT TIME		(Does not include City Holidays or City Furlough)		30 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Hearing	99 worki (153 calen	•